

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:)	
)	Chapter 11
MERCY HOSPITAL, IOWA CITY, IOWA, <i>et al.</i> ,)	
)	Case No. 23-00623 (TJC)
Debtors.)	
)	Jointly Administered
)	

**CONSENT ORDER GRANTING RELIEF FROM THE
AUTOMATIC STAY**

Upon the motion (the “Motion”)¹ of Kelly Banks (“Banks”) for entry of an order (this “Order”) lifting the automatic stay with respect to proceeding with Banks’ state court litigation against debtor Mercy Services Iowa City, Inc. (“Mercy Services”) in the Iowa District Court for Johnson County, case number LACV084138 (the “Banks Case”) as more fully set forth in the Motion (Doc. 1074); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Public Administrative Order* referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa; and this Court being able to enter a final order consistent with Article III of the United States Constitution; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the above-captions debtors’ estates, their creditors, and other parties in interest; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings

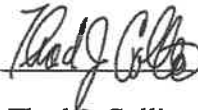
¹ Capitalized terms used but not defined herein have the meanings given to such terms in the Motion.

had before this Court; and after due deliberation and sufficient cause appearing therefore, it is

HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The automatic stay with respect to Mercy Services is modified to allow the Banks Case to proceed; *provided, however*, that Banks' recovery shall be limited to Mercy Service's available insurance coverage and Banks shall not make any claim against the Mercy Service's other assets.
3. The stay contained in Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby waived.
4. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated and entered: May 23, 2024



Honorable Thad J. Collins, Chief Judge

Prepared and Submitted By:

/s/ Jim Weston

Jim Weston

Attorney for Kelly Banks

/s/ Roy Leaf

Roy Leaf

Attorney for Debtor

/s/ Robert Gainer

Robert Gainer

Attorney for UCC

/s/ Paula Roby

Paula Roby

Attorney for Official Committee of
Pensioners